

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
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3 ONE HUNDRED AND ELEVENTH LEGISLATURE
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5 Legislative Document

No. 474

6
7 H.P. 391

House of Representatives, February 1, 1983

8 Received by the Clerk of the House on February 1, 1983. Referred to the
9 Committee on Energy and Natural Resources, and ordered printed pursuant to
10 Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to Transportation of
18 Hazardous Waste.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 Sec. 1. 38 MRSA §1306-A, sub-§2, ¶B, as enacted
23 by PL 1979, c. 699, §14, is amended to read:

24 B. Handles or transports any such substance or
25 material in any manner which, in fact, violates
26 the terms of any condition, order, regulation,
27 license, permit, approval or decision of the
28 board or order of the commissioner with respect
29 to the handling or transporting of such substance
30 or material; ~~or~~

31 Sec. 2. 38 MRSA §1306-A, sub-§2, ¶C, as amended
32 by PL 1981, c. 430, §16, is further amended to read:

1 C. Gives custody or possession of any such sub-
2 stance or material to any other person whom he
3 knows or has reason to believe:

4 (1) Does not have a license or permit to
5 transport or handle such substance or mate-
6 rial as may be required under this subchap-
7 ter; or

8 (2) Will transport or handle such substance
9 or material in violation of this subchapter
10 or rules adopted under it; or

11 Sec. 3. 38 MRSA §1306-A, sub-§2, ¶D is enacted
12 to read:

13 D. Transports hazardous waste without having com-
14 plied with the provisions of section 1310-C.

15 Sec. 4. 38 MRSA §1310-C is enacted to read:

16 §1310-C. Transportation; notification; training

17 1. Notification requirements. No person may
18 transport hazardous wastes on the public ways of this
19 State unless, at least 30 days prior to transporta-
20 tion of that hazardous waste, that person notifies
21 the law enforcement personnel of each municipality on
22 the proposed route of travel, the county sheriff in
23 each county through which the hazardous wastes will
24 be transported and the State Police. If the notice
25 period required by this subsection cannot be met due
26 to exigent circumstances, a lesser period of notice
27 may be sufficient, provided the other requirements of
28 this subsection have been met. The notice required
29 under this subsection shall contain the following
30 provisions:

31 A. The date and approximate hour the hazardous
32 waste will be transported through each town;

33 B. The route to be followed through each town;

34 C. The nature of the hazardous materials being
35 transported; and

36 D. Instructions for dealing with the materials in
37 case of accident.

1 sessions for firemen and law enforcement personnel on
2 how to handle accidents involving hazardous waste.
3 The cost of conducting these seminars shall be pro-
4 vided by the Maine Hazardous Waste Fund.

5 The bill provides that any person failing to pro-
6 vide the notification required is guilty of a Class D
7 crime.

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